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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PIROUZ SEDAGHATY,

Defendant.

CR 05-60008

**MOTION FOR TRAVEL TO MEET
WITH COUNSEL AND TO ATTEND
RELIGIOUS SERVICES**

The defendant, Pirouz Sedaghaty, through his attorneys, Steven T. Wax and Larry Matasar, hereby moves this Court, pursuant to the release order of November 30, 2007, for permission to travel to Portland and /or Eugene to meet with counsel. He further moves this Court for permission to travel to the Muslim American Society of South Oregon Mosque in Phoenix, Oregon, for Friday services and to the Mosque on December 19, 20, or 21 for

the special Eid services¹. Counsel discussed this motion with Mr. Crist and Mr. Wodehouse of the Pre-Trial Services Office and some of the alternatives are based on information that they provided.

By this motion, Mr. Sedaghaty seeks standing permission for the travel to meet with counsel and to attend the Mosque with prior notice to the Pre-Trial Services Office of any trip.

As a result of travel issues that arise with GPS and electronic monitoring, counsel propose the following alternative sets of conditions on the travel for attorney/client meetings.

If Mr. Sedaghaty is on GPS monitoring, counsel understand that Mr. Sedaghaty might not be permitted to fly by the airlines. Travel would, therefore, need to be by automobile. If Mr. Sedaghaty is on electronic monitoring, counsel understand that air travel is more feasible.

For air travel, counsel propose the following:

1. Mr. Sedaghaty, or counsel, notify the Pre-Trial Services Office of the planned meeting at least 24 hours in advance;
2. For meetings in Portland, Mr. Sedaghaty would be driven to the Medford airport by his wife, Summer Rife, or Paul or Margaret Copeland approximately one hour before the scheduled departure;
3. Mr. Sedaghaty would travel by max line to the Federal Defender Office from the Portland Airport. Alternatively, Mr. Sedaghaty could be transported by

¹This is a special service related to Abraham's sacrifice. The precise date is determined by observation of the moon.

Federal Defender² staff from the airport to the office if that is required by the Court;

4. If requested, the Federal Defender staff would contact the Pre-Trial Services Office to advise them that Mr. Sedaghaty is in Portland;
5. Mr. Sedaghaty would be accompanied by Federal Defender staff while in Portland;
6. Federal Defender staff would transport Mr. Sedaghaty to the max line (or to the Portland Airport if required by the Court);
7. Mr. Sedaghaty would be met at the airport in Medford by his wife, or Paul or Margaret Copeland, and transported back to the Copeland home in Ashland; and,
8. Mr. Sedaghaty would contact the Pre-trial Services Office upon his return to the Copeland home in Ashland.

If Mr. Sedaghaty must travel to Portland by automobile, and for counsel meetings in Eugene, Mr. Sedaghaty would be transported by his wife via automobile. Counsel propose:

1. Mr. Sedaghaty, or counsel, notify the Pre-Trial Services Office of the planned meeting at least 24 hours in advance;
2. Mr. Sedaghaty would advise the Pre-Trial Services Office when he leaves Medford;
3. Mr. Sedaghaty would be transported to Medford by his wife or one of the Copelands with the expectation that his travel time would be between 5 and 6 hours;
4. Counsel would call to advise the Pre-Trial Services Office when Mr. Sedaghaty arrives at the Federal Defender office;
5. Mr. Sedaghaty would remain with Federal Defender staff while in Portland except at night;

² Federal Defender Staff should be understood herein to include Mr. Matasar and his staff.

6. Mr. Sedaghaty would sleep in the location approved by the Court from the options listed below.

If Mr. Sedaghaty must travel to Portland by automobile, the distance is such that counsel would seek to have him sleep in Portland overnight. Counsel understand from Pre-Trial Services that the GPS monitor would allow them to keep track of Mr. Sedaghaty here. One option is a hotel in downtown Portland. A second option would be for counsel to identify a resident in Portland who could serve as a part-time third party custodian. A third option would be for Mr. Sedaghaty to be required to check into the Oregon Halfway House for the night. If the Court requires the halfway house option, the advance notice to Pre-Trial of any trip would permit them to ensure that a halfway house bed is available.

Counsel proposes for religious observances that Mr. Sedaghaty would travel to and from the Mosque in the company of his wife or Paul or Margaret Copeland. The time needed for religious observances is approximately three hours: 25 minutes travel each way, one hour sermon, and one-half-hour prayer.

The travel to meet with counsel is essential to preparation of a defense. Counsel have numerous documents in Portland that they must review with their client. Counsel need a significant amount of time meeting with him and discussing strategy. Meeting will also be necessary in Eugene because the government has numerous discovery documents housed there.

As many counsel meetings as possible should take place in Portland to avoid waste of CJA resources and counsel and investigator time travelling to Eugene or Medford.

Counsel are seeking a blanket authorization for these matters to avoid having to submit a motion to the Court for each trip to Portland or Eugene to meet with counsel and

for each religious observance. The Court will, of course, receive reports from the Pre-Trial Services Office should any issues arise on any trip that would cause the Court to rescind the authorization. An alternative would be for the Court to grant the authorization for the travel sought herein for 30 days and require reassessment after that time.

Counsel have discussed this matter with AUSA Cardani and he states that he has no objection to the release proposal for religious observance and that he has no position on the request for travel to meet with counsel and will defer to the Court.

Mr. Sedaghaty is an observant Muslim for whom fulfilling the Friday prayer obligation is important. December also presents a special prayer service.

Respectfully submitted this 6th day of December, 2007.

Steven T. Wax
Counsel for Defendant

Larry Matasar
Counsel for Defendant